

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of: )  
Daisuke KUMAKI et al )  
Serial No.: 10/587,010 )  
Filed: July 21, 2006 )  
Art Unit: 1786 )  
Examiner: Dawn L. Garrett )  
Confirmation No: 9347 )  
For: LIGHT EMITTING ELEMENT AND )  
LIGHT EMITTING DEVICE USING THE SAME )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, Applicant hereby calls the Examiner's attention to documents listed on the attached form, which documents may be material to the examination of this application. Pursuant to 37 CFR §1.98(a)(2)(i), copies of cited US patent and US patent application publications are not submitted herewith.

**ENTRY AND CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 CFR §1.97(d), this IDS shall be considered by the Patent Office as it is being filed before payment of the issue fee and is 1) accompanied by the following statement under §1.97(e), and 2) the fee set forth in §1.17(p):

Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

### **REFERENCES CITED HEREIN**

The Japanese references submitted herein were cited by the Japanese Patent Office in counterpart Japanese application no. JP 2005-320957 in an Office Action mailed to Applicants on October 5, 2010. The EPO and US references also submitted herewith, although not cited in the Office Action, are family members of the cited references and are being included herewith for the Examiner's benefit.

The family of JP 2003-264085 cited herein includes:

- EP Patent no. 1 318 553 A2 \*
- EP Patent no. 1 919 008 A2 \*
- US Patent no. 7,420,203 B2 \*
- US Patent no. 7,473,923 B2 \*
- US Patent Application Publication no. US 2003/0127967 A1 \*
- US Patent Application Publication no. US 2009/0045738 A1 \*

The family of JP 2004-281371 cited herein includes:

- EP Patent no. 1 408 563 A2 \*
- US Patent no. 6,717,358 B1 \*\*

The family of JP 2004-281409 cited herein includes:

- US Patent no. 6,991,859 B2 \*

\* (Not cited in 10/05/2010 JP Office Action)

\*\* (Not cited in 10/05/2010 JP Office Action and previously submitted & entered in this case)

No inference should be drawn that the attached list sets forth a comprehensive investigation of the prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

#### **FEE**

In accordance with §1.17(p), Applicants are submitting the required fee. If any further fee is necessary for this IDS, please charge our Deposit Account No. 23-0920.

#### **CONCLUSION**

As the provisions of 37 CFR §1.97(d) have been met, it is respectfully requested that the Examiner now enter and consider this IDS.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark J. Murphy", is written over a horizontal line.

Mark J. Murphy

Registration No.: 34,225

Husch Blackwell LLP  
120 South Riverside Plaza  
Suite 2200  
Chicago, Illinois 60606  
(312) 655-1500

Customer no. 24628